

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BETTE EAKIN, *et al.*,)
Plaintiffs,) Civil Action No.: 1:22-cv-00340
v.) Judge Susan P. Baxter
ADAMS COUNTY BOARD OF)
ELECTIONS, *et al.*,)
Defendants.)

**SUPPLEMENTAL STATEMENT RESPECTING
MOTION FOR SUMMARY JUDGMENT**

On November 21, 2023, the Court directed the parties to supplement their summary judgment filings in light of its grant of summary judgment in *PA NAACP v. Schmidt*, No. 1:22-cv-339. *See* ECF No. 348. On December 13, 2023, the Third Circuit stayed this Court's order in *PA NAACP v. Schmidt* pending appeal. *See* ECF No. 43, *PA State Conference of NAACP Branches v. Secretary Commonwealth of PA*, No. 23-3166 (3d Cir. Dec. 13, 2023). That appeal may control the outcome of this case. Accordingly, this Court should forbear ruling in this case until all appellate proceedings are completed and the stay is lifted in *PA NAACP v. Schmidt*. When the Court does resolve this case, it should grant Intervenor-Defendants' motion for summary judgment for the reasons already explained. *See* ECF No. 271.

Dated: January 4, 2024

Respectfully submitted,

/s/ Kathleen A. Gallagher

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